

Remarks

Specification and Drawings

While perfection is never claimed, the Specification and Drawing have been reviewed and appear to be in order.

Claim Rejections – 35 USC 112

The rejection of claims 1-12 under 35 USC 112 as being indefinite is believed overcome by providing antecedent basis in the claims, where appropriate.

Claim Rejections – 35 USC 102

The rejection of claims 1,6 and 11 under 35 USC 102 (b) as being clearly anticipated by either Snyder, Jr. (US 4,706,558) or Snyder, JR. (US 4, 907,502) is respectfully traversed.

Applicant was familiar with Snyder's work inasmuch as Applicant made his invention when working for a successor firm to the entity for whom Snyder, Jr. was working.

The rejected claims are believed to be patentably distinguishable over Snyder, Jr. by calling for " digital, programmable means for controlling the heating means, cooling means and rotation means within the machine". The Snyder references fail to show digital programmable means for controlling the rotation means of the machine in addition to the means for controlling the heating means and cooling means.

Using the published patent application for reference, the Examiner's attention is directed to the following paragraphs of Applicant's application that clearly disclose the digital programmable rotation means of the machine: [0050], [0055], [0073] through [0083] and [0088] through [0091].

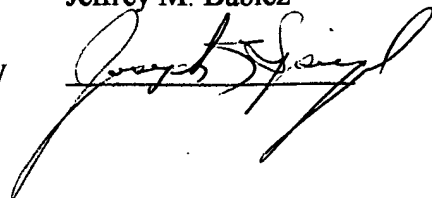
No such digital programmable rotation means is found within either of the cited references. Thus in both Snyders, US 4,706,558 and US 4,907,502, only a motor control switch 31 is shown.

Reconsideration, allowance and passage to issue are respectfully requested. If any matter remains that can be taken care of by way of telephone call or interview the examiner is requested to contact the undersigned at the number shown below.

Respectfully submitted,

Jeffrey M. Babicz

By





Joseph L. Spiegel
Reg. No. 19,450
272 Mill Street
Poughkeepsie, NY 12601
T (845) 452-7400
F (845) 452-4731
e-mail spiegeljoseph@aol.com

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8 (A)

I hereby certify that the above mentioned items are being deposited with the United States Postal Service as first class mail in an envelope addresses to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 6, 2006.


Joseph L. Spiegel